

PUGET SOUND LEGISLATIVE UPDATE

April 5, 2013 | Day 82 of the 105-day legislative session

This Legislative Update highlights the issues impacting our region's work to protect and restore the health of Puget Sound. The update is distributed throughout the 2013 session. Previous editions are available online at www.psp.wa.gov.

WEEKLY REVIEW

Senate adopts operating budget with bipartisan support

The Senate unveiled a \$33.2 billion two-year Operating Budget, Engrossed Substitute [Senate Bill 5034](#), which passed on Friday, April 5, by a 30-to-18 vote. The budget was developed in collaboration with several Democratic members. Legislators praised Republican Sens. Hill and Baumgartner, and Democratic Sens. Hargrove and Nelson for their thoughtful deliberation and difficult decisions negotiating an “all cuts—no new taxes” budget proposal.

This is the first budget produced by the GOP-dominated Majority Coalition Caucus. Approximately \$1.2 billion is directed toward funding K-12 and Higher Education. In order to adopt a balanced budget, the Senate cuts and diverts funds from several programs and accounts into the Education Legacy Account, per [Substitute Senate Bill 5895](#) introduced on Wednesday.

Puget Sound priorities generally reflected in Senate Budget

The Senate's investments for Puget Sound reflect many, but not all of the priorities identified and ranked by the Partnership. Important regional investments include: developing levee vegetation demonstration pilot projects in King and Whatcom counties, supporting ongoing adaptive management efforts, and advancing Puget Sound steelhead recovery efforts.

The Senate Capital Budget has not yet been unveiled, but is expected soon.

The House is anticipated to introduce its budget proposals this week.

Summaries of the budget proposals are available online.

- Governor budget: <http://www.ofm.wa.gov/budget13inslee/default.asp>
- Senate budget: <http://www.fiscal.wa.gov/BudgetO.aspx>

As the process unfolds, the Partnership and our many partners continue to emphasize the highest-priority investments for Puget Sound and our important role for protecting valuable taxpayer dollars appropriated for Puget Sound recovery—making sure investments of public funds are prioritized, regionally coordinated, and achieve the results Puget Sound needs and taxpayers expect.

2013 SESSION AT A GLANCE

Length: 105 days. If necessary, the Governor can call for a 30-day special session. Legislators can call themselves into special session with a two-thirds vote.

Next Cutoff: Wednesday, April 10, all bills needed to move out of the initial policy committee in the opposite chamber. Bills in fiscal committees have until next Tuesday, April 9, to keep moving forward. The bills considered “necessary to implement the budget” remain alive.

Information:

- For up-to-date legislative information, visit: www.leg.wa.gov
- To watch or listen to a legislative hearing, visit: www.tvw.org
- For both current and previous copies of the Legislative Update, visit: www.psp.wa.gov

Communication and Coordination:

If you are planning to testify on a bill, meet with legislators, or would like assistance with state legislative issues regarding Puget Sound priorities—please contact:

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Puget Sound priorities are summarized in the March 22 Legislative Update: http://www.psp.wa.gov/downloads/legislative/2013/3_22_LegislativeUpdate.pdf

“Administrative efficiency” reductions and other non-specific General Fund-State cuts threaten Puget Sound programs

The Senate budget includes “administrative efficiency” cuts to every natural resource agency. The potential impacts to programs that support the implementation of the Action Agenda—the *regional plan to restore the health of Puget Sound*—are still being evaluated. Possible impacts include:

- **Puget Sound Partnership**—\$195,000 reduction (\$100,000 in “admin efficiency” plus \$95,000 in additional non-specific cuts) to invasive species strategies and Puget Sound environmental education programs.
- **Recreation and Conservation Office** - \$50,000 reduction in administrative efficiencies to salmon habitat restoration work.
- **Department of Fish & Wildlife**—\$3.3 million reduction (\$2.3 million in “admin efficiency” plus \$1 million in additional non-specific cuts) to habitat protection and restoration work through the Puget Sound Nearshore Ecosystem Restoration Partnership Project; hydraulic permit processing and biological technical assistance for construction projects; monitoring work to evaluate toxic contaminants in Puget Sound herring and salmon recovery efforts; and providing salmon recovery technical assistance to local partners.
- **Department of Ecology**—\$15 million reduction (\$2.4 million in “admin efficiency” plus \$12.6 million in additional non-specific cuts) to monitoring the effectiveness of programs and projects advancing Puget Sound recovery; restoring stream flows; processing and compliance for water rights; managing water resources in the Dungeness and Skagit watersheds, and monitoring air and water quality.

Puget Sound, a gem at risk | Editorial, The Daily Herald

Most of Inslee’s recommendations dovetail with the priorities of the Puget Sound Partnership, the state agency responsible for the Sound’s recovery. The partnership has become a lean, efficient bird-dog of state funds, ensuring oversight and accountability. Coordinating and leveraging federal dollars also falls on the partnership, as well as developing indicators of a healthy Sound consistent with its 2020 restoration goals. The partnership no longer gets scapegoated as too top-heavy or PR oriented, with an evolving bipartisan consensus. The reason centers on tangible results such as restoring shellfish beds previously off-limits because of contamination.

To continue reading: <http://www.heraldnet.com/article/20130403/OPINION01/704039963>

Gov. Inslee signs climate change bill

On Monday, April 1, Gov. Inslee signed [Senate Bill 5802](#) to create the Climate Legislative & Executive Work Group and commission a report to evaluate approaches to reduce greenhouse gas emissions. The legislation was requested by Gov. Inslee and sponsored by Sen. Ranker. The bill passed with strong bipartisan support by a 61-to-32 vote.

Court ruling on culvert repair hailed as a win for Tribes & salmon

Last Friday, the U.S. District Court reminded the state it has a narrow and specific treaty-based obligation to ensure Northwest tribes have access to healthy fish. Federal Judge Martinez ruled the State of Washington must fix fish-blocking culverts under state-owned roads because they violate tribal treaty rights. The court issued a permanent injunction, which requires the state to repair more than 1,000 state-owned fish-blocking culverts managed by the state Department of Transportation over the next 17 years. Other blockages on State Parks, Department of Natural Resources, and Department of Fish and Wildlife lands are to be corrected by October 31, 2016.

The Court's decision requires the state to immediately accelerate more than \$1.9 billion in repairs to culverts that run beneath state roads and block access to more than 1,000 miles of salmon habitat. Judge Martinez prescribed that repairs should be funded through the State's separate transportation budget and not come at the expense of education or other social services. A work session covering the potential impact of the case will be held at 8 a.m. Friday, April 12, in the House Capital Budget Committee.

LEGISLATION PERTINENT TO PUGET SOUND

SHELLFISH

Coastal Marine Advisory Council: Sen. Hatfield's legislation, [Senate Bill 5603](#), to establish the Washington coastal marine advisory council and the Washington marine resources advisory council, advanced out of the House Appropriations Subcommittee on General Government on Thursday, April 4. The proposed coastal council would serve as a forum on coastal issues such as fisheries, shellfish aquaculture and ocean energy. The proposed marine council would advance the recommendations from the ocean acidification report. The Partnership supports the Blue Ribbon Panel's recommendations, as well as the \$3.3 million included in budgets proposed by the Senate and Gov. Inslee.

HABITAT

Land acquisitions: Sen. Honeyford's legislation to establish a process to acquire habitat and recreation lands, [Senate Bill 5054](#), received a public hearing in the House Committee on Agriculture & Natural Resources on Tuesday, March 26. However, the bill did not advance out of committee before the April 3 cutoff. Many partner organizations opposed the bill because of the restrictions that would have been imposed on land acquisition processes.

Landowner liability: Rep. Stanford's legislation to limit landowner liability for habitat projects, [House Bill 1194](#), was amended and advanced out of the Senate Law & Justice Committee on Wednesday, April 3. The bill is now in the Senate Rules Committee and a floor vote is anticipated in the next few days. Because the bill was amended, it will have to go back to the House for concurrence. The amendment requires large woody debris used for habitat restoration projects to be identified and tagged, consistent with guidelines by the Department of Fish & Wildlife. The Partnership continues to support this legislation and congratulates everyone working together to keep this bill moving forward.

Conservation easements: Rep. Sawyer's legislation allowing tribes to hold conservation easements, [House Bill 1277](#), advanced out of the Senate Natural Resources & Parks Committee on Tuesday, April 2, with amendments. The bill is in the Rules Committee and will be brought up for a floor vote in the next few days. Protection of habitat is a top priority in the Puget Sound Action Agenda and a major focus for our tribal partners.

Aquatic invasive species: Sen. Honeyford's aquatic invasive species legislation, [Substitute Senate Bill 5702](#), continues to move closer to final passage. The bill advanced out of the House Natural Resources and Appropriations Committees, and is now in the Rules Committee where it will soon be brought up for a vote by the full House. Many organizations support the bill, including the Partnership, Invasive Species Council, Ports Association and Northwest Marine Trade Association. The bill specifies that transporting a recreational or commercial watercraft into the state without meeting valid documentation requirements is an aquatic invasive species infraction. It also repeals the Aquatic Nuisance Species Committee.

TOXICS

Derelict vessels: Although bills were introduced in both the House and Senate to prevent and respond to derelict vessels, Rep. Hansen's [Substitute House Bill 1245](#) is the one that will advance to the Governor's desk. The legislation is in the Rules Committee and we will likely see a vote by the full Senate in the coming days. The Partnership supports this proposal and continues working with partners to ensure the program has the funding necessary to expedite removal of the more than 230 older, larger, more expensive ships that threaten the health of Puget Sound. The budgets proposed by Gov. Inslee and the Senate includes \$2 million for the derelict vessel program.

Model Toxics Control Account (MTCA): The Senate budget proposal appears to use the new framework reflected in Sen. Ericksen's MTCA bill, [Senate Bill 5296](#), by introducing the Environmental Legacy Stewardship Account to fund a variety of environmental programs. We will have a better understanding of the new framework and the investments to prevent toxics and clean up pollution once the Senate Capital Budget is released.

The Partnership continues to support a comprehensive, interim review of MTCA to ensure the highest priorities and most cost-effective strategies are funded to protect and clean up Puget Sound.

ECONOMIC DEVELOPMENT

Urban economic revitalization: Rep. Appleton's legislation providing for community economic revitalization in incorporated areas, [House Bill 1648](#), died in the Senate Trade & Economic Development Committee this week. The loss of this bill is unfortunate, as it would have incentivized municipalities to revitalize vacant and abandoned properties in incorporated areas. This would have promoted jobs, strengthened local economies, and managed growth in areas that are already developed.

UPCOMING HEARINGS RELATED TO PUGET SOUND

Monday, April 8

8 a.m. House Committee on Finance; Executive Session:

[Senate Bill 5593](#)—Relating to filing requirements for property tax exemption claims for certain improvements to benefit fish and wildlife habitat, water quality, or water quantity.

10 a.m. House Committee on Transportation; Executive Session:

[House Bill 1864](#)—Relating to transportation funding and appropriations.

1:30 p.m. Senate Committee on Transportation; Executive Session:

[Senate Bill 5024](#)—Relating to transportation funding and appropriations.

Tuesday—Thursday, April 9-11

No Puget Sound-related hearings scheduled.

Friday, April 12

8 a.m. Capital Budget; Work Session:

Potential impact of United States of America v. State of Washington (Culvert Case) on the capital budget.